

**MEDICINE BOARD[653]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 147.76 and 272C.2, the Board of Medicine hereby amends Chapter 23, “Grounds for Discipline,” Iowa Administrative Code.

The purpose of Chapter 23 is to establish grounds for discipline that apply to physicians and acupuncturists. The amendment gives the Board authority to impose discipline for a licensee’s failure to report to the Board any disciplinary action taken against the licensee’s hospital privileges or any voluntary limitation, restriction, suspension, revocation, relinquishment or nonrenewal of hospital privileges to avoid a hospital investigation or hospital disciplinary action.

The Board approved a Notice of Intended Action to amend Chapter 23 during a regularly scheduled meeting on April 19, 2012. Notice of Intended Action was published in the Iowa Administrative Bulletin on June 27, 2012, as **ARC 0177C**. A public hearing was held on July 17, 2012, from 11 to 11:30 a.m., at the Board’s office, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa.

Public comments were received from Jeanine Freeman, Iowa Medical Society; Leah McWilliams, Iowa Osteopathic Medical Association; Kevin Cunningham and Craig Kelson, The Iowa Clinic; Stacey Cyphert, University of Iowa Health Care; and Sabra Rosener, Iowa Health System. Additional meetings to discuss the proposed amendment with representatives from the Iowa Medical Society and Iowa Osteopathic Medical Association were held on August 22, 2012, and October 31, 2012. In response to all comments received, the following changes were made in the amendment as published in the Notice of Intended Action:

- The adjective “disciplinary” was added to describe the type of reportable action.
- The time within which the written report must be filed with the Board was changed from 10 days to within 30 days of the date of the hospital’s action or licensee’s voluntary action.

This amendment was adopted by the Board on November 16, 2012.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code chapters 148 and 272C.

This amendment will become effective January 30, 2013.

The following amendment is adopted.

Adopt the following new subrule 23.1(48):

**23.1(48)** Failure to file with the board a written report and a copy of the hospital disciplinary action within 30 days of any hospital disciplinary action or the licensee’s voluntary action to avoid a hospital investigation or hospital disciplinary action, as required by rule 653—22.5(272C).

[Filed 11/28/12, effective 1/30/13]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/26/12.